

EXPRESS MAIL NO. EVA33421980US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Burco et al. § Group Art Unit: Not Assigned
Serial No.: Not Assigned § Examiner: Not Assigned
Filed: September 9, 2003 § Attorney Docket No.: YOR920030132US1

For: Method, Apparatus, and Program
for Scheduling Resources in a Penalty-Based
Environment

ASSOCIATE POWER OF ATTORNEY

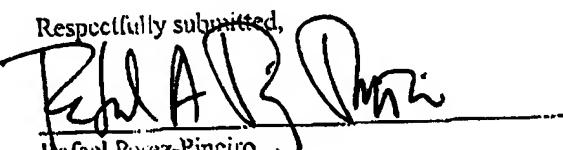
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby appoint Duke W. Yee, Reg. No. 34,285; Stephen J. Walder, Jr., Reg. No. 41,534; Stephen R. Tkacs, Reg. No. 46,430; Lisa L.B. Yaciss, Reg. No. 36,975; Betty G. Formby, Reg. No. 36,536; Patrick Holmes, Reg. No. 46,380; Wayne P. Bailey, Reg. No. 34,289; and Cathrine K. Kinslow, Reg. No. 51,886, located at P.O. Box 802334, Dallas, Texas, 75230, telephone 972/367-2001, as associate attorneys to prosecute the above-identified application and transact business in the U.S. Patent and Trademark Office connected herewith. This appointment does not revoke the previous Power of Attorney for this case.

Date: September 3, 2003

Respectfully submitted,



Rafael Perez-Pinciro
Registration No.: 46,041
IBM Corporation
Intellectual Property Law Department
PO Box 218
Yorktown Heights, NY 10598

EXPRESS MAIL NO. EV333421980US

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD, APPARATUS, AND PROGRAM FOR SCHEDULING RESOURCES IN A PENALTY-BASED ENVIRONMENT

the specification of which (check one)

X is attached hereto.

— was filed on _____
 as Application Serial No. _____
 and was amended on _____
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s) :	Priority Claimed
<hr style="border-top:none; border-bottom:1px solid black; width:150px; margin-bottom:5px;"/>	<hr style="border-top:none; border-bottom:1px solid black; width:150px; margin-bottom:5px;"/>
(Number)	Yes <input type="checkbox"/> No <input type="checkbox"/>
<hr style="border-top:none; border-bottom:1px solid black; width:150px; margin-bottom:5px;"/>	<hr style="border-top:none; border-bottom:1px solid black; width:150px; margin-bottom:5px;"/>
(Country)	(Day/Month/Year)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<hr style="border-top:none; border-bottom:1px solid black; width:100%; margin-bottom:5px;"/>	<hr style="border-top:none; border-bottom:1px solid black; width:100%; margin-bottom:5px;"/>	<hr style="border-top:none; border-bottom:1px solid black; width:100%; margin-bottom:5px;"/>
(Application Serial #)	(Filing Date)	(Status)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Manny W. Schecter (Reg. 31,722); Christopher A. Hughes (Reg. 26, 914); John E. Hoel (Reg. 26,279); Joseph C. Redmond, Jr. (Reg. 18,753); Richard M. Ludwin (Reg. 33,010); Douglas W. Cameron (Reg. 31,596); Wan Yee Cheung (Reg. 42,410); Thu Ann Dang (Reg. 41,544); Louis P. Herzberg (Reg. 41,500); Stephen C. Kaufman (Reg. 29,551); Daniel P. Morris (Reg. 32,053); Alison D. Mortinger (Reg. 39,306); Louis J. Percello (Reg. 33,206); Robert M. Trepp (Reg. 25,933); Gail H. Zarick (Reg. 43,303); Derek S. Jennings (Reg. 41,473); William B. Porter (Reg. 33,135); and Timothy M. Farrell (Reg. 37,321).

Send correspondence to: USPTO Customer Number 35526, Duke W. Yee, Carstens, Yee & Cahoon, LLP, P.O. Box 802334, Dallas, Texas 75380 and direct all telephone calls to Duke W. Yee, (972) 367-2001.

FULL NAME OF SOLE OR FIRST INVENTOR: Melissa Jane Buco

INVENTORS SIGNATURE: Melissa Jane Buco DATE: 9/4/2003

RESIDENCE: 56 Watergate Drive
Amawalk, New York 10501

CITIZENSHIP: United States

POST OFFICE ADDRESS: Same as above

FULL NAME OF SECOND INVENTOR: Rong Nickle Chang

INVENTORS SIGNATURE: Rong Chang DATE: 9/4/2003

RESIDENCE: 45 Deerfield Lane South
Pleasantville, New York 10570

CITIZENSHIP: United States

POST OFFICE ADDRESS: Same as above

FULL NAME OF THIRD INVENTOR: Laura Zaihua Luan

INVENTORS SIGNATURE: Laura Luan DATE: 9/4/03

RESIDENCE: 16 Sleepy Brook Lane
Putnam Valley, New York 10579

CITIZENSHIP: Canada

POST OFFICE ADDRESS: Same as above

FULL NAME OF FOURTH INVENTOR: Christopher Ward

INVENTORS SIGNATURE: Christopher Ward DATE: 9/4/2003

RESIDENCE: 58 Essex Avenue
Glen Ridge, New Jersey 07028

CITIZENSHIP: United States

POST OFFICE ADDRESS: Same as above

FULL NAME OF FIFTH INVENTOR: Joel Leonard Wolf

INVENTORS SIGNATURE: Joel Leonard Wolf DATE: 9/4/2003

RESIDENCE: 7 Cherokee Court
Katonah, New York 10536

CITIZENSHIP: United States

POST OFFICE ADDRESS: Same as above

FULL NAME OF SIXTH INVENTOR: Philip Shi-lung Yu

INVENTORS SIGNATURE: Philip Shi-lung Yu DATE: 9/4/2003

RESIDENCE: 18 Stornowaye
Chappaqua, New York 10514

CITIZENSHIP: United States

POST OFFICE ADDRESS: Same as above